

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TIARA N. BARBER,

Plaintiff,

vs.

CAROLYN W. COLVIN,¹

Acting Commissioner of Social Security,

Defendant.

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Case No. 4:12-CV-976 JAR

ORDER

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Nannette A. Baker, filed August 29, 2013. [ECF No. 22] Pursuant to 28 U.S.C. § 636, the Court referred this matter to Magistrate Judge Baker. Magistrate Judge Baker recommends that the Court reverse and remand this matter to the Commissioner for further proceedings, pursuant to sentence four of 42 U.S.C. § 405(g). Neither party has filed objections or otherwise responded to the Report and Recommendation.

After review of the entire record in this matter, the Court concurs in the Magistrate Judge's findings, and will adopt the Report and Recommendation. Accordingly, the Court will reverse and remand this matter to the Commissioner for further administrative proceedings. Specifically, the Administrative Law Judge shall consider whether Barber's IQ scores in combination with her severe impairments are the medical equivalent of Listing 12.05(C), also considering the observations and opinions of the job counselors and the level and types of services she receives for assistance with her activities of daily living. (Doc. No. 22, p. 16)

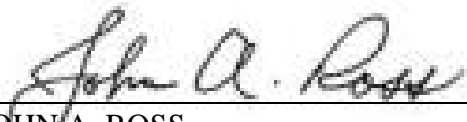
¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is therefore substituted for Michael J. Astrue as the Defendant in this action.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge [22] is adopted and incorporated herein.

IT IS FURTHER ORDERED that, pursuant to sentence four of 42 U.S.C. § 405(g), this matter is reversed and remanded to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation and with this Order. A separate Order of Remand shall accompany this Order.

Dated this 17th day of September, 2013.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE